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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,134	04/30/2001	Franklin Grosvenor	50325-0519 (3693)	7900
29989	7590	08/15/2006	EXAMINER	
HICKMAN PALERMO TRUONG & BECKER, LLP			JEANTY, ROMAIN	
2055 GATEWAY PLACE			ART UNIT	
SUITE 550			PAPER NUMBER	
SAN JOSE, CA 95110			3623	

DATE MAILED: 08/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/846,134

Applicant(s)

GROSVENOR ET AL.

Examiner

Romain Jeanty

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5, 12 and 19-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 12, 19-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This Final Office Action is in response to the communication received November 16, 2005. In the communication, applicant has amended claims 1, 19-22, and added claims 28-29. Claims 1-5, 12, 19-29 are pending in the application.

### **Response to Arguments**

2. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

### **Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5, 12, 19-24, and 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stowell et al "Stowell" (US 20020099579) in view of Postelnik et al (US Patent No. 7,069,235).

As per claims 1, Stowell et al discloses an event monitoring architecture for performance-based supply chain management system and method for monitoring and buyer and supplier engagement. In so doing, Stowell et al discloses receiving a first supply chain event information

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representing one or more first supply chain events from each of the supply chain partners at a database with each of the supply chain partners may communicate over a network (i.e. a server for receiving event information from suppliers) (See abstract), periodically applying one or more rules to the first supply chain event information (i.e. applying business rules to the event) [Paragraphs 0022 and 0078], generating one or more alerts pertaining to one or more discrepancies that are found in the supply chain event information, based on applying the rules [Paragraph 0078], communicating one of the alerts to only those supply chain partners who are participating in a transaction to which the discrepancies relate (i.e. emailing the alert to buyers and suppliers [Paragraph 0078], receiving second information that represents a second supply chain event that resolves the alert , and resolving the alert in the database based on the second information [Paragraph 0094]. *Stowell does not explicitly disclose ...three or more supply chain partners at three or more respective levels of a supply chain... in a substantially concurrent way. However, Postelnik et al in the same field of endeavor, discloses the concept of more than one supply chain partners at different respective levels (col. 6, line 1-65. Therefore, it would have been obvious to a person of ordinary skill in the art to modify the disclosures of Stowell to include the teachings of Postelnik et al with the motivation to enable supply chain partners to perform planning tasks collaboratively*

As per claims 2-4, Stowell further discloses the step of periodically escalating the alert to one or more pre-defined associated with each of the supply chain partners who are participating in the transaction to which the discrepancies relate, until the second information is received {Paragraph 0192}.

As per claim 5, Stowell further discloses periodically evaluating one or more existing alerts that are stored in an alerts table of the database, determining whether a particular existing alert is marked as resolved and removing the particular existing alert from the alerts table [Paragraph 0165].

As per claim 12, Stowell further discloses receiving a set of updated manufacturing resource planning (MRP) data from a first supply chain partner, applying MRP profile rule that results in generating a user interface display that summarizes how the supply chain is affected by one or more changes reflected in the MRP data [Paragraph 0181 and 0190].

Claim 19 is a computer-readable medium carrying one or more sequences of instructions for automatically identifying and resolving one or more discrepancies in an outsourced manufacturing supply chain in which an enterprise and a plurality of its supply chain partners participate, which instructions, when executed by one or more processors, causing the one or more processors to carry the steps of method claim 1. Therefore claim 19 is rejected under the same rationale relied upon of claim 1.

Claim 20 is an apparatus for automatically identifying and resolving one or more discrepancies in an outsourced manufacturing supply chain in which a plurality of its supply chain partners participate for performing the steps of claim of method claim 1. Therefore claim 20 is rejected under the same rationale relied upon of claim 1.

Claims 21-23 are apparatus for automatically identifying and resolving one or more discrepancies in an outsourced manufacturing supply chain in which a plurality of its supply chain partners participate for performing the steps of claim of method claim 1. Therefore claim

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20 is rejected under the same rationale relied upon of claim 1. In addition, Stowell et al discloses a network interface. Note the abstract of Stowell et al.

As per claim 24, Stowell further discloses periodically evaluating one or more existing alerts that are stored in an alerts table of the database, determining whether a particular existing alert is marked as resolved and removing the particular existing alert from the alerts table [Paragraph 0165].

As per claim 25, Stowell further disclose an administrative subsystem configured to enable an administrative user to create and store one or more values that define the pre-defined parties and one or more other characteristics of the supply chain partners [Paragraph 0152].

As per claims 26 and 27, Stowell further discloses user interface generating logic that is configured to generate one or more user interface pages comprises a summary view of the alerts, and includes one or more links to detailed views of information related to the one of the alerts that is shown in the summary view, wherein the links are selected from among a plurality of links relating to all alerts and include only links that specifically pertain to the one of the alerts that is shown in the summary view[ Paragraph 0183].

### **Response to Arguments**

5. Applicant has amended the claims and added new limitations (three or more supply chain partners at three or more respective levels of a supply chain and applicant has argued that Stowell et al does not teach the added limitations. Becker et al in the same field of endeavor teaches applicant's added limitations. Applicant is directed to the new rejection of these claims in paragraph 4 above.

### Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Becker et al (Specifying Information System For Business Process Integration- A Management Perspective) discloses the concept of supply chain system comprising hierarchy of supply chain partners.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Romain Jeanty whose telephone number is (571) 272-6732. The examiner can normally be reached on Mon-Thurs 7:30 am - 6:00 pm.

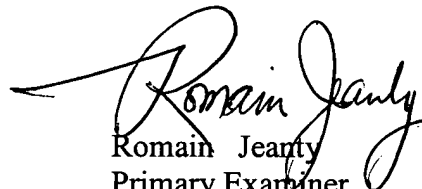
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R. Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RJ

February 3, 2006

  
Romain Jeanty  
Primary Examiner  
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